

ALAN WILSON ATTORNEY GENERAL

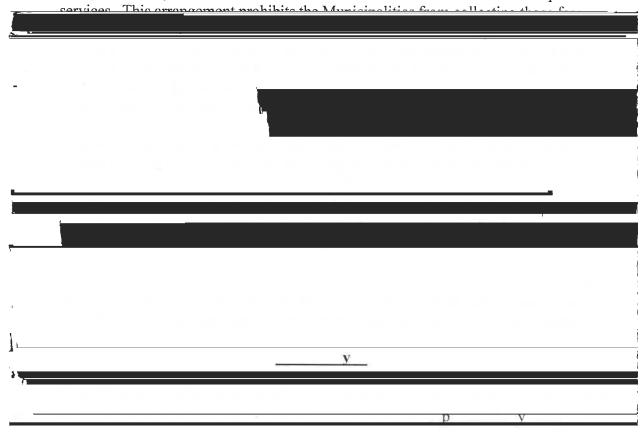


Chief Tyrone Smith Varnville Police Department P.O. Box 308 Varnville, SC 29944

Dear Chief Smith:

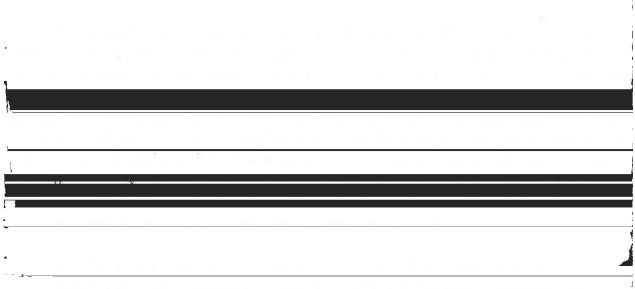
Attorney General Alan Wilson has referred your letter to the Opinions section. Your letter requests an opinion addressing the following:

Hampton County Government charges the Municipality of Varnville a monthly fee of \$1687.50 to dispatch the Police & Fire Department (Section 23-47-10). Hampton County Government receives all 911 fees from landlines and cellphone

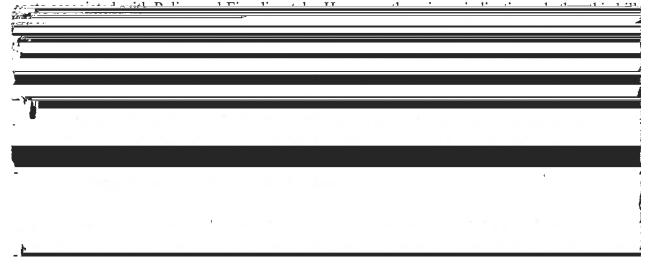


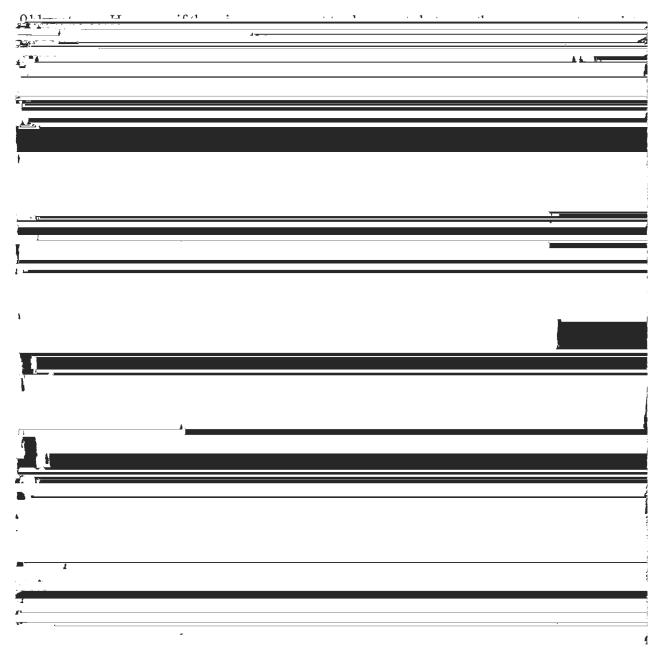
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406130 (April 3, 1989) ("Because this Office does not have the authority of a court or other fact-finding body, we are not able, in a legal opinion, to adjudicate or investigate factual questions."). The South Carolina Constitution expressly allows political subdivisions to agree with the State or "other political subdivision for the joint administration of any function and exercise of powers and the sharing of the costs thereof." S.C. Const. art. VIII, § 13. This section additionally clarifies, "Nothing in this Constitution may be construed to prohibit the State or any of its counties, incorporated municipalities, or other political subdivisions from agreeing to share the lawful cost, responsibility, and administration of functions with any one or more governments, whether within or without this State." Id. (emphasis added); see also S.C. Code § 4-9-40 (Power of county to



As described in your letter, the municipality receives a monthly bill from the county for





as to what authority the county would cite to directly bill a municipality for 911 services.

Your second question concerns the county billing the municipality for the housing of inmates. South Carolina Code § 24-7-120 allows a municipality to either operate its own jail, enter into an agreement with other municipalities to operate a joint facility, or agree the county in

Matthew Houck

Assistant Attorney General

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REVIEWED AND APPROVED BY:

